

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

ORDER NO. 84-17

AN ORDER REQUIRING UNION SANITARY DISTRICT
TO CEASE AND DESIST FROM CREATING A NUISANCE
AS A RESULT OF THE TREATMENT OF WASTES AT THE
ALVARADO WASTEWATER TREATMENT PLANT
IN VIOLATION OF THE REQUIREMENTS OF ORDER NO. 79-68
(NPDES PERMIT NO. CA0037869), AS AMENDED BY ORDER NO. 80-51,
PRESCRIBED BY THE CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD

The California Regional Water Quality Control Board, San Francisco Bay Region,
(hereinafter Board) finds that:

1. On June 19, 1979, the Board adopted Order No. 79-68 (NPDES No. CA0037869) prescribing waste discharge requirements for Union Sanitary District (hereinafter discharger) for waste treatment at the Alvarado Wastewater Treatment Plant and disposal to San Francisco Bay via the Eastbay Dischargers Authority's Joint Outfall.
2. On November 4, 1980, the Board adopted Order No. 80-51, amending Order No. 79-68.
3. The requirements of Order No. 79-68, as amended, provide in part, as follows:

"..."

D. Provisions:

1. Neither the collection, treatment, storage, transmission, or discharge facilities shall create a nuisance as defined in the California Water Code.

"..."

4. On Wednesday, April 18, 1984, in the Assembly Room, State Building, 1111 Jackson Street, Oakland, after due notice to the discharger and all other affected persons the Board conducted a public hearing at which the discharger and other interested persons appeared and evidence was received and considered concerning the nuisance.
5. Odor nuisance complaints in violation of Finding 3. of this Order were documented during the months of August and September 1983 in the discharger's technical report dated December 20, 1983, entitled "Evaluation of Meteorological Conditions Relevant to Odor Dispersal and Control at the Union Sanitary District Wastewater Treatment Plant in Union City, California". Other frequent odor complaints from residents near the discharger have also been documented by the discharger for intermittent periods prior to and after the report and threaten to continue unless interim and permanent odor elimination and control measures are installed.

6. The violations cited in Finding 5 of this Order are due to nuisance odors emanating from the Rotating Biological Contactor (RBC) Building, the Belt Press Building, the temporary sludge disposal areas, and possibly other miscellaneous minor odor sources. All of these sources have also been documented in the discharger's technical report dated October 28, 1983, entitled "Final Report -- Investigation of Odor Concentration and Exposure Attributable to a Wastewater Plant in Union City, California". In addition there may be inadequate air available for treatment processes for a back-up supply should a compressor fail.
7. Potentially compounding the threat of odor nuisance is the increasing influent discharge from the Union Sanitary District's service area which may make the nuisance odors more frequent and of greater magnitude as the available capacity of the treatment plant decreases. At this time information available to the Board does not indicate moderate increases in influent will cause greater or more frequent odor nuisances, but the Board intends to monitor this carefully in terms of complaints and the additional flows to the treatment plant. It may yet be necessary to prohibit additional discharges to the sewer systems served by the discharger to prevent the likelihood of or threatened violation of waste discharge requirements.
8. The discharger is in the process of expanding the treatment facilities to 30 mgd (from 19.7 mgd) by December 1986 with full operational capabilities by July 1987 to meet future growth. The discharger has also hired consultants to design, and the discharger has committed to construct, permanent odor elimination facilities to be completed by June 1986. At this time further studies are being pursued to install cost-effective interim odor elimination and control facilities. The existing treatment plant's facilities are stressed due to the high loadings and some elements, especially the air supply, do not have normal contingency back-ups. This may threaten further waste discharge violations and needs to be resolved.
9. The documented discharger's odors during August and September 1983, the documented odors before and after August and September 1983, and the threat of continuing odors creates a condition of nuisance. This nuisance occurs as a result of the treatment or disposal of the discharger's wastes and is in violation of adopted waste discharge requirements and the California Water Code Section 13050(m). An enforcement order is necessary to assure timely and consistent compliance with waste discharge requirements.
10. The Board finds that this action is an order to enforce waste discharge requirements previously adopted by the Board. This action is therefore categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15121 of the Resources Agency Guidelines.

IT IS HEREBY ORDERED THAT the Union Sanitary District cease and desist from creating a nuisance or threatening to create a nuisance due to the treatment and/or disposal of wastes contrary to the requirements contained in Order No. 79-68, as amended by Order No. 80-51, as follows:

1. The discharger is required to provide interim odor control. By May 1, the discharger shall submit a technical report satisfactory to the Executive Officer, with implementation time schedule that will provide interim odor control forthwith. The technical report shall include operation and maintenance criteria and standards.
2. The discharger is required to eliminate nuisance odors in compliance with the following time schedule:

<u>TASK</u>	<u>REPORT OF COMPLIANCE DUE</u>
a. <u>Pre-Design</u>	
1) Submit Technical Memorandums quantifying the odorous air and recommendations on Operation Review.	May 1, 1984
2) Submit report on Force Main Odor Control Investigation.	May 1, 1984
3) Submit Odor and Ventilation recommendations and established Performance Criteria.	Jun 15, 1984
4) Submit Draft Preliminary Design Report	Aug 1, 1984
5) Complete coordination and submit Final Report	Aug 15, 1984
b. <u>Design</u>	
1) Approve design contract	Sep 1, 1984
2) Submit Status Reports on design progress	Nov 1, 1984
3) Complete design	Jan 15, 1985
4) Approve design	Feb 15, 1985
c. <u>Construction</u>	
1) Advertise construction contract	Mar 15, 1985
2) Award contract	May 15, 1985
3) Commence construction	Jun 15, 1985
4) Status Reports	Jun 15, 1985 Oct 1, 1985 Jan 1, 1986 Apr 1, 1986

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| 5) | Submit an Operations and Maintenance Manual for the permanent Odor Elimination System. | Jan 15, 1986 |
| 6) | Complete construction. | Jun 1, 1986 |
| 7) | Full Compliance | Jul 1, 1986 |
3. The discharger shall submit by May 1, 1984, a technical report satisfactory to the Executive Officer that includes a time schedule specifying a continuous management plan for the disposal of sludge to assure control and elimination of odors and the prevention of other nuisances or pollution.
 4. The discharger shall submit additional certified monthly monitoring reports to the Board, not later than the 15th of the month following, in a format acceptable to the Executive Officer that include, as a minimum, a log of odor complaints and probable causes.
 5. The discharger shall submit quarterly (July 1, Oct. 1, Jan. 1, Apr. 1) a revised report acceptable to the Executive Officer that supersedes the current report on new sewer connections and flow to include an updated forecast through December 1987 on projected connections and flows. The report will show the connections, flow and projections by each land-use authority. Additionally, an analysis shall be provided each quarter by the discharger on the additional flow effects on the treatment facility and the probable impacts from the forecasted flows.
 6. The discharger shall submit by June 1 a technical report satisfactory to the Executive Officer on the adequacy of the process air supply for normal and contingency operations. If a deficiency is found to exist in the process air supply that threatens compliance with discharge requirements, the discharger shall include in the technical report submittal a contingency plan for backup process air and a compliance time schedule to correct the deficiency and assure continuous, consistent compliance forthwith.
 7. The discharger shall submit by June 1 a policy statement, satisfactory to the Executive Officer, adopted by the Union Sanitary District's Board of Directors specifying the criteria and standards the District will use to limit additional discharges to the wastewater treatment facilities to assure consistent compliance with all waste discharge requirements in Order No. 79-68 as amended.
 8. The discharger shall submit to the Board on or before each compliance report date, a report detailing his compliance or noncompliance with the specific schedule date and task.

If noncompliance is being reported, the reasons for such noncompliance shall be stated, plus an estimate of the date when the discharger will be in compliance. The discharger shall notify the Board by letter when he has returned to compliance with the time schedule.

9. If the Executive Officer determines during further investigations of odor incidents that the interim odor control or final odor elimination facilities do not have or will not have capacity to eliminate odor nuisances from projected growth to assure continuous and consistent compliance with waste discharge requirements (including nuisances), he is directed to immediately notice, after consulting with the Chairman, a hearing to amend this Order to include a prohibition of additional discharges to the sewer system.
10. If the Executive Officer finds that the discharger has failed to comply with the provisions of this Order, he is authorized, after approval of the Board Chairman, to request the Attorney General to take appropriate enforcement action against the discharger, including injunction and civil remedies, if appropriate.
11. If the Executive Officer determines that the provisions of this Order are violated and does not refer the matter to the Attorney General, he is instructed to report to the Board the reason that the discharger has been unable to comply with the provisions of this Order.

I, Roger B. James, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on April 18, 1984.

ROGER B. JAMES
Executive Officer